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Attorneys for Defendant
JOE ROBERTS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:20-mj-00173-KJN
)	
Plaintiff,)	MEMORANDUM TO CONTINUE STATUS
)	HEARING
vs.)	
)	Hearing date: November 5, 2021
JOE ROBERTS,)	Time: 2:00 p.m.
)	Judge: The Honorable Carolyn K. Delaney
Defendant.)	
)	
)	

Mr. Joe Roberts, by and through undersigned counsel, requests that his status hearing set for November 5, 2021, be continued to January 7, 2021, for the following reasons:

1. Mr. Roberts is pending sentencing in the Central District of California [2:13-cr-751-TJH-1.] He was arrested on a warrant in the Eastern District of California and remains detained at the Sacramento County Jail. The case has been transferred to the Central District pursuant to Federal Rule of Criminal Procedure 5, but the Court has not issued a transport order at this time on the basis of the Central District Court order described below.
2. The District Court in the Central District, based on the parties stipulation there, has ordered that Mr. Roberts remain in custody in Sacramento so that he can appear remotely for court proceedings in the Central District [2:13-cr-751-TJH-1, Dkt. 487]. The Order reflects that the reason for the Court's order is "logistical issues associated

1 with his transport during the pandemic, made all the more difficult by the fact he is
2 wheelchair-bound,” and given that he may waive his personal appearance and appear
3 virtually pursuant to the CARES Act, unnecessary transportation presents a risk to his
4 health.

5 3. On October 27 2021, the Central District Court continued the sentencing to December
6 6, 2021, on its own motion [2:13-cr-751-TJH-1, Dkt. 494]. The Attorney for Mr.
7 Roberts in the Central District has informed counsel that the parties there are working
8 toward the sentencing.

9 4. The Assistant United States Attorney in the Eastern District of California, Cameron
10 Desmond, does not object to this continuance of status based upon the Central District
11 Court’s order and the parties’ need for more time there.

12 5. If Mr. Roberts is sentenced prior to January 7, 2022, the parties will vacate this
13 hearing.

14 Wherefore, it is requested that this Court continue the status hearing currently scheduled
15 for November 5, 2021, be continued to January 7, 2022 at 2:00 p.m.

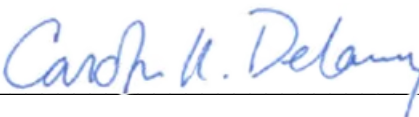
16
17 Respectfully submitted,

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19 Dated: November 3, 2021

20 /s/ Lexi Negin
21 LEXI NEGIN
22 Assistant Federal Defender
23 Attorney for Defendant

24 IT IS SO ORDERED,

25 Date November 4, 2021

26 
27 _____

28 United States Magistrate Judge